



DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

STAGED ASSEMBLY OF NANOSTRUCTURES

and for which a patent application:

☐ is attached hereto and includes amendment(s) filed on (if applicable)

☒ was filed in the United States on **February 21, 2002** as Application No. **10/080,608** (for declaration not accompanying application)

with amendment(s) filed on (if applicable)

☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

* for use only when the application is assigned to a company, partnership or other organization.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Makowski	FIRST NAME Lee	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Hinsdale	STATE OR FOREIGN COUNTRY Illinois	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 445 South Adams Street	CITY Hinsdale	STATE OR COUNTRY Illinois	ZIP CODE 60521
		SIGNATURE OF INVENTOR 201		DATE	
2 0 2	FULL NAME OF INVENTOR	LAST NAME Hyman	FIRST NAME Paul	MIDDLE NAME L.	
	RESIDENCE & CITIZENSHIP	CITY Everett	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 8 Corey Street, Apartment 2R	CITY Everett	STATE OR COUNTRY Massachusetts	ZIP CODE 02149
		SIGNATURE OF INVENTOR 202 <i>Paul L. Hyman</i>		DATE <i>April 24, 2002</i>	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Williams	FIRST NAME Mark	MIDDLE NAME K.	
	RESIDENCE & CITIZENSHIP	CITY Revere	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 58 School Street	CITY Revere	STATE OR COUNTRY Massachusetts	ZIP CODE 02151
		SIGNATURE OF INVENTOR 203		DATE	



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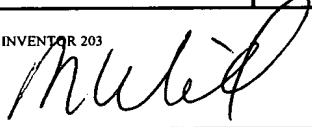
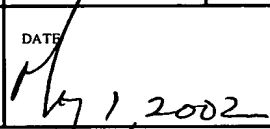
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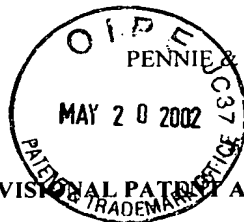
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	RESIDENCE & CITIZENSHIP	CITY Revere	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 58 School Street	CITY Revere	STATE OR COUNTRY Massachusetts	ZIP CODE 02151
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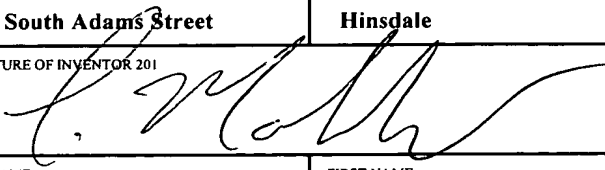
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	POST OFFICE ADDRESS	STREET 445 South Adams Street	CITY Hinsdale	STATE OR COUNTRY Illinois	ZIP CODE 60521
	SIGNATURE OF INVENTOR 201 			DATE 5/3/2	
202	FULL NAME OF INVENTOR	LAST NAME Hyman	FIRST NAME Paul	MIDDLE NAME L.	
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	RESIDENCE & CITIZENSHIP	CITY Revere	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 58 School Street	CITY Revere	STATE OR COUNTRY Massachusetts	ZIP CODE 02151
	SIGNATURE OF INVENTOR 203			DATE	



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Makowski et al.

Application No.: 10/080,608

Group Art Unit: 1653

Filed: February 21, 2002

Examiner: to be assigned

For: STAGED ASSEMBLY OF
NANOSTRUCTURES

Attorney Docket No.: 8471-010

Confirmation No.: 8580

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER C.F.R. 3.73(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242), William J. Sipio (Reg. No. 34514), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), and Kenneth L. Stein (Reg. No. 38704), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with

POWER OF ATTORNEY

the law firm of Pennic & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Please direct all correspondence for this application to customer no. 20583.

I am the:

- ☒ Assignee of record of the entire interest. See 37 CFR 3.71.
(Statement under 37 CFR 3.73(b) is applicable)

Statement Under 37 C.F.R. 3.73(b)

NanoFrames, LLC states that it is:

- ☒ the assignee of the entire right, title, and interest; or
- ☐ an assignee of less than the entire right, title and interest.
- The extent (by percentage) of its ownership interest is _____ %

in the patent application/parent identified above by virtue of either:

- 8 An assignment from the inventor(s) of the patent application/parent identified above. The assignment was recorded in the United States Patent and Trademark Office on _____ at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office on
_____ at Reel _____, Frame _____, or for which a copy
thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office on
_____ at Reel _____, Frame _____, or for which a copy
thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office on
_____ at Reel _____, Frame _____, or for which a copy
thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments of other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

POWER OF ATTORNEY

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 15 May 2002

ASSIGNEE: NanoFrames, LLC

Signature: [Signature]

Typed Name: Edward S. Witman

Position/Title: Chief Operating Officer

Address: 2362 Spotswood Place
Boulder, Colorado 80304

ASSIGNMENT

WHEREAS, WE, Lee Makowski, Paul L. Hyman and Mark K. Williams, ASSIGNORS, citizens of the United States, residing at 445 South Adams Street, Hinsdale, Illinois 60521, 8 Corey Street, Apartment 2R, Everett, Massachusetts 02149, and 58 School Street, Revere, Massachusetts 02151, respectively, are the inventors of the invention in STAGED ASSEMBLY OF NANOSTRUCTURES for which we have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____

- ☒ which is identified by Pennie & Edmonds LLP docket no. 8471-010
☒ which was filed on February 21, 2002, Application No. 10/080,608

and WHEREAS, NanoFrames, LLC, an organization existing under the laws of the state of Delaware, having a place of business at Biosquare Discovery and Innovation Center, 650 Albany Street, Room 125, Boston Massachusetts 02118, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 5/3/02, 2002

LEE MAKOWSKI

L.S.

State of IL }
 County of DUPAGE } SS.:

On MAY 3, 2002, before me, LEE MAKOWSKI SONDRAC K. DAVISON,
 Notary Public, personally appeared LEE MAKOWSKI, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Sondrak Davison



Date _____, 2002 _____ L.S.
PAUL L. HYMAN

State of _____)
County of _____) SS.:

On _____, 2002, before me, **PAUL L. HYMAN**,
Notary Public, personally appeared _____, personally known to me on the basis of satisfactory
evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the
same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the
person acted, executed the instrument.

WITNESS my hand and official seal

Date _____, 2002 _____ L.S.
MARK K. WILLIAMS

State of _____)
County of _____) SS.:

On _____, 2002, before me, **MARK K. WILLIAMS**,
Notary Public, personally appeared _____, personally known to me on the basis of satisfactory
evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the
same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the
person acted, executed the instrument.

WITNESS my hand and official seal

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NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

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AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date _____, 2002 LEE MAKOWSKI L.S.

State of _____ }
County of _____ } SS.:

On _____, 2002, before me, LEE MAKOWSKI,
Notary Public, personally appeared _____, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Date April 24, 2002 Paul L. Hyman L.S.
PAUL L. HYMAN

State of MASSACHUSETTS } SS.:
County of SUFFOLK }

On APRIL 24, 2002, before me, PAUL L. HYMAN JANICE O. ROBBINS,
Notary Public, personally appeared PAUL L. HYMAN, personally known to me on the basis of satisfactory
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Janice O. Robbins
JANICE O. ROBBINS, NOTARY PUBLIC
My Commission Expires November 17, 2006

Date _____, 2002 MARK K. WILLIAMS L.S.

State of _____ }
County of _____ } SS.:

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Notary Public, personally appeared _____, personally known to me on the basis of satisfactory
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WHEREAS, WE, **Lee Makowski, Paul L. Hyman and Mark K. Williams**, ASSIGNORS, citizens of the United States, residing at **445 South Adams Street, Hinsdale, Illinois 60521, 8 Corey Street, Apartment 2R, Everett, Massachusetts 02149, and 58 School Street, Revere, Massachusetts 02151**, respectively, are the inventors of the invention in **STAGED ASSEMBLY OF NANOSTRUCTURES** for which we have executed an application for a Patent of the United States

☐ which is executed on ☐ even date herewith or ☐ _____

- ☒ which is identified by Pennie & Edmonds LLP docket no. **8471-010**
☒ which was filed on **February 21, 2002**, Application No. **10/080,608**

and WHEREAS, **NanoFrames, LLC**, an organization existing under the laws of the state of **Delaware**, having a place of business at **Biosquare Discovery and Innovation Center, 650 Albany Street, Room 125, Boston Massachusetts 02118**, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

~~NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;~~

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date _____, 2002 _____ L.S.
LEE MAKOWSKI

State of _____ }
 County of _____ } SS.:

On _____, 2002, before me, **LEE MAKOWSKI**,
 Notary Public, personally appeared _____, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Date _____, 2002 PAUL L. HYMAN L.S.

State of _____ }
County of _____ } SS.:

On _____, 2002, before me, PAUL L. HYMAN,
Notary Public, personally appeared _____, personally known to me on the basis of satisfactory
evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the
same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the
person acted, executed the instrument.

WITNESS my hand and official seal _____

Date May 1, 2002 Mark K. Williams L.S.
MARK K. WILLIAMS

State of Massachusetts
County of Suffolk } SS.:

On May 1, 2002, before me, Alan A. Bondjoukdjian AAB MW,
Notary Public, personally appeared Mark K. Williams, personally known to me on the basis of satisfactory
evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the
same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the
person acted, executed the instrument.

WITNESS my hand and official seal _____

Alan A. Bondjoukdjian

